

*In the 1990s, the World Jewish Congress, in concert with other organizations, secured restitution to the Jewish people for property loss and persecution. The sum could amount to billions of dollars. Sh'ma asked Jewish communal leaders, historians, and philosophers to grapple with what this means and what should be done with the restitution funds. Does it belong to the Jewish people as a whole or to Holocaust survivors and their heirs? Does this constitute the final chapter in the history of the Shoah and, if so, is there the potential of that legacy being overwhelmed — even distorted — by money?*

## Transparency, Truth, and Restitution

Israel Singer

**A**fter 55 years, President Johannes Rau of Germany finally wrote letters of forgiveness to every Holocaust survivor that benefited from the Slave Labor agreement. Chancellor Franz Vranitzky spoke in the Knesset putting to rest once and for all the canard that Austria was the first victim of Nazism rather than its first willing accomplice. Swiss president Armand Koller apologized for his country's neutrality when such a position was deemed immoral. And French president Jacques Chirac realized that not all of France was in the resistance with Charles de Gaulle. A large part of it, including his predecessor, was for much of the war allied with Henri-Philippe Petain. The rest of institutional France was in collaboration with the Nazis until 1943, although they didn't admit it until 1995. These were the achievements of the struggle for moral and material restitution in the period of the 1990s.

Holland did not valiantly save all of its Jews but willingly deported 90 percent of them. Norway participated in the deportations and illegal appropriations

of Jewish property. And a lot of countries did not just act as willing partners — Hungary, Croatia, Slovakia, Latvia, and Lithuania participated not only in deportations and mass murders but also in the grossest theft

that went along with the ugliest murder in the history of genocide. In fact, the organized theft of Jewish property was an intentional and major byproduct of murder during the war. There were no "good guys" but for a few exceptions in Bulgaria and Denmark where Jews were saved in an organized effort.

The most important achievement of the past decade, besides gaining new information through recently opened archival dossiers (and making millions of them available to historians), was the feeling that, for the first time, the record was set straight and people could no longer hide behind their own myths. Not all Jews were poor, not all banks were honest, not all insurance companies discharged their duties to those who paid them premiums. Even the Allies — though not as bad as neutral countries and certainly unlike the enemies of the Jews — enriched themselves by inaction and sometimes foolish policies.

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“Truth telling” is what the fifteen commissions that were established throughout Europe, North America, and South America accomplished. Money was an important material expression of remorse and restitution. The struggle for justice, however, was not about money, and those who chose to make it so, whether they were Jews or non-Jews, tried one more time to revise history and failed.

East European Jews were thrice victimized: once by the Nazis, then by the Communists, and finally by the Jews and the West who agreed not to give them pensions and recompense. The deal made between Germany, Austria, and the West in the post-war period was a sordid one to serve the needs of the Cold War and the new enemy. East European Jews, especially those in the former Soviet Union, were the first beneficiaries of recent restitution claims after fifty years of starvation and humiliation. Justice has many faces and is as indivisible as truth. The only way to struggle against injustice and antisemitism is to expose the truth. This — and the restitution of the material aspects of injustice — has been the struggle of the 1990s.

Holocaust survivors are not the only persons charged with making decisions for the Jewish people about how to use monies that will not be needed after they die. While our first obligation is to take care of Holocaust survivors, the remainder of any monies should be spent to ensure the existence of the Jewish people — not necessarily the existence of Jewish organizations. These decisions, which are about the future rather than the past, affect the *entire* Jewish people. The *entire* Jewish people are the heirs of sur-

vivors, and as a child of survivors and having worked for them my entire life, I say this with some authority. Survivors have tremendous institutional memory — without which the Jewish people couldn’t understand their own existence in this time. However, survivors should not decide all questions about funds restored to the Jewish people from the Holocaust.

Those decisions should be entrusted to a new body that would include the Conference on Jewish Material Claims Against Germany, the World Jewish Restitution Organization, and the government of Israel, along with Holocaust survivors, Jewish educators, and innovative thinkers. The body’s structure and operating principles would reflect the best practices of strategic thinking and venture philanthropy, and not succumb to uninspired organization mediocrity that plagues so much of Jewish life. Its mandate should be to address the future needs of the Jewish people; for example, education — creating an innovative voucher system for every Jewish child to attend Jewish schools — would be a welcome initiative. The purpose of this effort would be to create a new future for the Jewish people. This restitution should be used to rebuild the Jewish soul and spirit. This has never been done effectively in the Diaspora. And for those who don’t want to do this, the legacy of the Holocaust will be only about social welfare programs and money.

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## Restitution’s Moral Issues

*Berel Lang*

**T**he broad strokes in which Israel Singer paints Holocaust and post-Holocaust history may have the effect of blurring the line between two different sources and justifications for the Jewish People’s Fund he is proposing. One of the sources would be restitution in the strict sense: funds repaid by individuals or corporations (banks, insurance companies, industries) that profited directly in monetary terms or equivalents as a consequence of the persecution — by them or others — of the Jewish populace through slave labor or the appropri-

ation of property. For anyone or any organization that profited in this way and is still active and identifiable, there should be no question about their obligation to make restitution to those who suffered the loss (or to their heirs); if such gains can be identified but their specific origins remain unknown, restitution should indeed be made to a general fund of the sort that Singer describes. The bottom line here, it should be emphasized, is moral, not economic: it would simply be wrong to have gains acquired by force and atrocity enjoyed by anyone unrelated in